G. R. S. 58]

Revenue

Previous references.
Mrng. 546-19 - 1-8
9-10.

1922
(Magrai)

File No. 357-22
Serial Nos. 1-7

Later references. 25-1-4
'24
Mrng 59-32 Sir

GENERAL AND REVENUE SECRETARIAT.

v

Serial Nos. 7

Part B for August 1924.

SUBJECT

Review petition from Ramiah and two other Archaks praying for a reconsideration of the Govt. Order already passed ~~rejected~~ directing that the temple of Sri Kalleswara Swami, Nanjangud Taluq and its land be taken under Govt. management.

G.O. No. 208 dated 7.8.24 — To the Petitioners

Govt do not see any reason to modify the order already passed. The review petition is rejected

B170

G. R. S. III—1] 1922

GENERAL AND REVENUE SECRETARIAT.

(Inigrad

NOTES.

File No.

FILE HEADING.

Land endowed to Sri Kalleswara and [illegible] temple in the Village of BORRahalli, Ranjangud Taluk

From Ramiah and 2 others Brahmins.

No. Petition Dated Received 6.3.23

Diary No.	Enclos. _ Spare Copies. _	Serial No.
1430		1

BRIEF ABSTRACT OF LETTER.

Represent that for reasons stated, they are entitled to possession and enjoyment of the assessed land of the inam and pray for a stay order as the Talak authorities have fixed the auction sale of—

NOTES AND ORDERS.

The lease on the 10th March 1923.

NOTES—First Sheet.

G. R. S. III—3]

ROUTINE NOTES

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D.1628

Petition from the Archaka
of Sri Kalleswara Swamy
temple at Bokkahalli in
the Nanjangud Taluk. re
the inam land endowed
to the instn

this is a renewal application
for exemption of the
assessment of Rs 20.4648-5 in
D/23-2-52 - it
has now been decided
to Rs 16 p.a.

An extract is submitted for
approval

Mr. 26
21 2 27/2

23598/23-2-25
Returns the petn
to the party

N. B.—Should routine notes be written on small slips, the notes must be copied or slips pasted on this form.

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

N. B.—Should routine notes be written on small slips the notes must be cipoed, or slips pasted on this form.

G. R. S. III-2]

General and Revenue Secretariat | Mug File No. 357 of 1923

Serial No

From, Ramiah and two others Petition dt 2 3 1923 but received on 6th March 1923.

Re-transmit the petition duly stamped-

The [illegible]

The [illegible] if correct [illegible] has been received [illegible] forthwith [illegible]

" The [illegible]

"The usual manner and [illegible]

"for orders on the [illegible]

The present petition to [illegible] re consideration of G.O. no. 1618-5 Mug. 546-19-8 dt 25-2- [illegible] directing [illegible] the [illegible] Sri Kalleswara Swami temple at Bokkenahalli, [illegible] be taken under [illegible] Mgmt under Sec. 9 of the Mug. Regn. The facts & the case are given in the order sought to be reviewed, [illegible]

Pages 1 to 13 of the office Note-

The Secretary's note dt [illegible] the petn prays [illegible] re consideration of [illegible]

NOTE—Contn sheet

G. R. S. III-2]

General and Revenue Secretariat.

Inward File No. 357 of 1922

Serial No.

R

(2 The [illegible])

order. The grounds [illegible] are summarized in the [illegible]

From a copy of the [illegible] registered in the record [illegible] be seen that the temple [illegible] been endowed with dry [illegible] and that owing to the [illegible] of the institution, the lands were resumed by Govt in 1920. and the main income was [illegible] lands were first entered as [illegible] lands in 20 Khata of the Mahal, but were subsequently transferred to that of the temple.

The petitioners contend that the temple is a private institution endowed with lands [illegible] grant by Govt, that they have been paying full kandayam with cesses as for other Sirkar lands. That the lands which were Dry were converted into wet after the extension of Ramparai channel, at an outlay of over Rs 1000/ in addition to the usual assessment [illegible]

NOTE—Contn. sheet.

G. R. S. III-2

General and Revenue Secretariat. | Irrig File No. 357 of 1912

Serial No.

and that they have been enjoying all the rights of Registered cultivants under the L. R. Code since over 40 years. They urge that they are entitled to possession of the lands as before until evicted therefrom in due course of law, and pray that their possession need not be disturbed. They also state that they agree to pay Rs 100/- for repairs in consideration of the fact that the temple was built by their ancestors.

The only new point urged for consideration appears to be that the petrs have laid out a sum of Rs 1200/- for the conversion of the land from dry into wet. On this point, a further report with reasons will if directed, be called for.

The petrs also represent that the Taluka authorities have fixed the 10th March 1913 for auction sale on the

NOTE—Contn. sheet.

G. R. S. III-2,

General and Revenue Secretariat — File No. 357 of 1922

Serial No

of the Courts, Cuttack
to stay and see proceedings
on their review petition
a perusal of the records
with the case.

Submitted for
orders.
8/3/23 — 8/3/23

The telegram be signed
and a telegram sent
to Trust Members)
7295-168
8.3.23.

approved
Rec
9.3.23

Telegram was issued at 4.45 P.M.
today both to the Dy. Comr. and the
Amildar, as directed by the
Secretary.
9/3/23.

A Off. forwarding a
post copy of the telegram
and calling for a report, together
with a Off. visit and re
for a proposal.
Submitted
10.3.23

NOTE—Contn. sheet.

G. R. S. III 2]

Muzrai Secretariat | Muz. File No. 357 of 1922

Serial No	
2.	To, The Dy Comr, Mysore dtd 2489 Dy 10/5/25 calls for a report.
3.	From, The Muz Comr in Mysore O M. No. C. 1331 Dy 13/10/25 Forwards Mysore Dy Comr Comrs reporting on the subject
	14) The Dy. Comrs. report is fully into the facts of the case
	15) The new point urged in the Review petition is refd to in para 8, and the Dy Comrs. report is silent as to whether the temple have cash and capital for the improvement of the lands.
	Draft. submit- sd/- 17/2
	16) At present the temple is a non-Muzrai Instn. and Govt have always Ordered that Even so they can step in and take over mismt under their management

NOTE—Contn. sheet

WD 0561 GPB- 3750—1 8 22

G. R. S. III-2]

Muzrai Secretariat | Muz. File No. 357 of 1922

Serial No.

under sec 9 of the M.E. Regn. it is true that is the management of the temple is allowed to be kept in a due efficient condition. This is a case in which the question of long enjoyment of the lands may perhaps be taken into consideration and the lands in question continued in the possession provided that they pay a fair rent to the Revenue Authorities for the repairs of the temple.

17) A hearing may also perhaps be given to the appellants.

18) Draft O.M.s. is also enclosed

12/11/22

13.11.22

New Secy)

324.
15.11.23

14/11/23

14.11.23

19) Typed for perusal & necessary signature

15/11

21/11/23

16.11.23

Dist. Notices submitted

NOTE—Contn. sheet

WD 0561—GPB—3750—1 8 22

G. R. S. III-2]

Muzrai Secretariat | Muz. File No. | of 192

Serial No.

G. R. S. III 2]

Muzrai Secretariat | Muz. File No. of 192 .

Serial No.

NOTE—Contn. sheet

WD 0561—GPB—3750—1-8-29

G. R. S. III-2]

Muzrai Secretariat | Muz. File No. 357 of 1922

Serial No.

benefit of the temple. The trustees however [illegible] the same year [illegible] the repairs to the Temple are completed [illegible]

[illegible] the violation of any of the above conditions will render the trustee liable to be summarily evicted from the land and also removed from the [illegible].

If the party are prepared to [illegible] the above conditions, [illegible] agreement to this effect may be [illegible].

If they are not prepared to do so [illegible] within a month [illegible] 14/5

[illegible]

[illegible]

[illegible] of [illegible]

[illegible]

5.5.24.

97
55

21) Draft submitted.
14/5/24

22) [illegible]
14.5.24.

Rec. Secy.

23) Approved 14/5/24

24) Issued
20.5.24.

NOTE—Contn. sheet

WD 0561—GPB—3750—1 8 22

G R. S. III 2]

Muzrai Secretariat | Muz File No. 357 of 1922.

Serial No

3 2. The Muzrai Commr's No. 1751/A.2/25.
Fds a copy of Govt order on the above
noted applⁿ stating that the lands
belonging to the temple be left under
lessees in the possession of the petitioners
on condition that they shd execute the
necy repairs at a cost of not less than
Rs. 1000 within one year from the date
of the order & deposit an amount of Rs.
as an earnest thereof [illegible]
& also pay Rs. [illegible]
proceeds [illegible]
[illegible]

15

4. From, The Muzrai Commr,
Letter no C. 81 B dt 7.2.25
states that the Exy. Commr
reports that on [illegible]
have not [illegible]
conditions [illegible]
sum, and [illegible]
are [illegible]
in [illegible]

NOTE—Contn sheet

WD 0561 - GPB- 3750—1 8 22

G. R. S. III 2]

Muzrai Secretariat | Muz. File No. | of 192 .

Serial No

The Executive order, in ...
Thereon, and had as we have
have not as yet Complied
with The orders of Govt. in
previous orders therefore the
rights and its lands under
Govt management may
be enforced.

5 From, Tammadi Kamiah,
Review petition Dy No 7-24.
Prays that on a re-
consideration of orders Contained
in Sl. 3, certain Clarifications
may be shown to Them

29 R 25) In S.O. no. 1757 Dy 29.5.24
The temple and its lands
were allowed to remain in
The hands of The present
petitioners subject to certain

NOTE—Contn. sheet

WD 0561—GPB—3750—1 8 22

G. R. S. III 2]

Muzrai Secretariat | Muz. File No. of 192 .

Serial No.

30) The S.O. stipulates that they must pay Rs 100/ annually as reserve fund from the year after the repairs are completed, ~~but~~ but they pray that they shall not be required to contribute anything to the temple - they pray that Govt may be pleased to grant a Stay order pending disposal of the petition. The revised Pet^n mentions points which are alleged to have been discussed & decisions arrived at at the last hearing. The prayer of the appellant is cont^d in para 11 of the revised Pet^n and the appellant prays for a stay order, lest Govt take steps to remove him from his land.

31) Orders are also solicited on the Mur Com^r letter No. C-81 of 24-25 dt 17-7-24. Stating that as the appellants have not complied with the terms of the G.O. in question, the mis^l + its endts may be taken under Govt management

NOTE—Contn. sheet

WD 0561—GPB—3750—1 8 22

24/7/24

2nd member

24-7-24.

607/24

G. R. S. III-2]

Muzrai Secretariat | Muz. File No. 25 of 192

Serial No.

32) I draw your attention to the order already passed.

It is a fact that the temple, Sthalasthalam, mufassal yearly and for only 27 days, the [illegible] function will be held 2 August & hence the [illegible] report & slip sent [illegible] to the order. c/s they will [illegible] to their [illegible] to the order of the Trustee & the person to whom the order will be issued & [illegible] and for & 20/7/24 [illegible]. A communication may be sent to [illegible] & Endowment [illegible] must & pass accordingly.

30/7

31.7

33) Submitted. Hindu Dgs.

2.8.24

34) Issue

6 To the Muzrai Commr. No. 207 dt. 7.8.24. 7th the above revision petition stated that [illegible] do not see reasons to modify the order [illegible] passed & that if it is a fit [illegible]

NOTE—Contn. sheet

WD 0561 -GPB--3750—1-8 22

G. R. S. III·2]

Muzrai Secretariat | Muz. File No. 257 of 1922

Serial No.

32) I also received a petition
from the above already passed.

If it is a fact that the
Trustees of the
on 27th June, by
till the End of August it has
been
in the order. If by
in that petition, the
in the order with the
and I for 20/7/22
A communication
Endowment
accordingly

30/7
31/7
31.7.24.

33) Submitted.
2.8.24
4/8/24

34) Issue
6.8.24.

6 To the Muzrai Commr. No. 207 dt. 7.8.24.
7th the above mentioned petition states that
do not see reasons to modify the
passed & that if it is

NOTE—Contn. sheet

WD 0561—GPB—3750—1-8 22

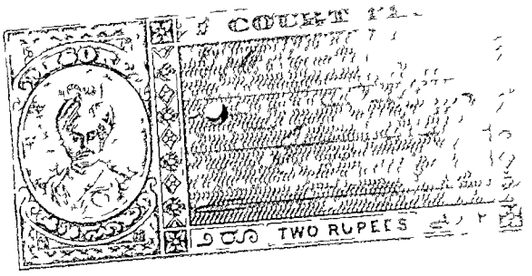
G. R. S. III-2]

Muzrai Secretariat | Muz. File No. 917 of 192[illegible].

Serial No.	
	informed of the order of Govt. [illegible] 1924 the [illegible] 1926 they may be given August 1926 to pay the agreed [illegible] if the amount is not produced [illegible] period the concession [illegible] under proviso will be [illegible] vide order of Govt d. 23.2.22 & forms.
7	To the petitioners through the Asst Comr. M. Nagappa. No. 208 d. 7.8.24. Inform them as stated above.

NOTE—Contn. sheet

WD 0561—GPB—3750—1 8 22



To

Rajamanthrapravina Diwan Bahadur
P. Raghavendra Rao, Esq., B.A., B.L.,
First Member of Council.

201-74
6.3.25

To the Revenue Secretary
with compliments
This may be looked at
in the usual manner & put up
for orders on the 9th inst.
Place
6.3.25

Immediate
U/s 6/3/25

Respected Sir,

We, Ramaih, Madiah and Srikantiah, Archaks of Sri Kalleswaraswami Temple in the village of Bokkalli, Nanjangud Taluk, Mysore District, beg to approach you with the following petition:-

1. From time immemorial, our ancestors were the Archaks of this temple and we have been Archaks now.

2. This temple does not receive any cash Tasdik from Government, nor has it been endowed with Inam lands. It is thus purely a private Institution at our disposal.

3. Once upon a time it might have been a pretty big temple, but now it is a small temple being repaired at our cost and by ourselves, now and then as occasion required.

4. We have been in enjoyment of S.Nos.78, 158 & 74 which have @@@@ never been inam to the temple. We have been paying full assessment with local and Railway Cesses as for other Sirkar lands. As these lands were all dry, we used to pay the full Berjz before the introduction of the Revenue Survey and Settlement and have since then been paying the full assessment according to Revenue Survey and Settlement.

6. At a time, when the Rampur Channel was improved and extended, we converted these lands into wet at an outlay of over Rs.1,000/- individually and paid the usual acreage contribution of over Rs.200/- and have been paying full wet assessment plus the usual Local and Railway Cesses. Thus these lands have been in our possession and we have been enjoying all the rights of Registered occupants under the Land Revenue Code since over 40 years. We wonder, how in

the

the face of this adverse possession and enjoyment could we now learn from the Deputy Commissioner's Endorsement No.D_2 Dis. 106 of 22-23 dated 16-1-1923 - the Government, on the one sided and imperfect report of the Deputy Commissioner, order, in their Proceedings, Nos. 4648-51/ Muz.546-19-8 dated 23rd February 1922, the taking over of these lands from our possession.

7. As the temple was built by our ancestors, who have been Archaks also, we agreed to pay Rs.100/- for the repairs of the temple, but not as enjoyers of these lands which are not inam to this Institution.

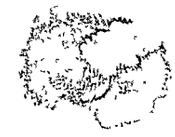
8. We respectfully beg to submit that we are entitled to possession and enjoyment of these lands as before, until evicted therefrom in due course of Law; and hence pray that all disturbance of such possession - until such eviction may be forbidden by issue of orders to the District Office.

9. The Taluk Authorities have fixed the 10th March 1923 for auction sale of the lease. We therefore beg that a stay order may be passed at once and all connected records called for and equitable orders passed in the matter.

Favour of an endorsement is requested.

We beg to remain,
Respected Sir,
Your most obedient and humble servants,

ಅಂಜೈಂಡ್ಯ ವಲಗಾರ ವೆಂಕಟರಂಗಯ್ಯಂಗಾರು



Left Thumb impression
Of Madiah.

Bangalore,
2-3-1923.

20

BEFORE THE GOVERNMENT OF H.H.THE MAHARAJA

OF MYSORE, BANGALORE.

Muzrai Case No.4 of ~~1924~~ 1923-24.

In the matter of survey numbers 74, 78 and 158 of Bokkahalli Village, Chikkaiyana Chatra Hobli, Nanjangood Taluk, standing in the Khata of Sri Kalleswara Temple of the said village.

PETITIONERS: Thammadi Madia and others.

The petitioners beg to state as follows for the kind consideration of Government:-

The abovementioned lands have been and are assessed holdings in our possession and enjoyment since the time of our forefathers for over half a century. They were once Devadaya Inam lands belonging to the Kalleswara Temple but as the said temple was in a state of neglect and disrepair the Inam tenure was resumed in 1879 and the lands were fully assessed and registered as ordinary holdings in the name of one Thammadi Lingaiya, the father of the Petitioner Madia, herein.

The patta of the lands appear to have been changed to the name of the Kalleswara Temple itself in or about the year 1896 in accordance with a Government Order, of which we were not made aware; nor was there any enquiry into our rights and possession of the lands.

We have been rendering pooja service in the temple as a matter of hereditary right from the time of our ancestors for over half a century and we have been holding and cultivating the lands, enjoying the produce thereof in our own right. We brought the lands under dry cult-

cultivation with our own labour and expense and when the Rampur channel was extended to our village affording water supply to the lands we paid heavy water contribution and we have paid the full assessment on the lands as well as the cesses since the year 1880.

We are now made aware of the Government's claim to the said lands as belonging to the Temple and that on the report of the local authorities that the temple has been in a neglected condition for a long time, Government have ordered in their Proceedings No.4648-51/Muz.46-19-9 dated the 23rd Feb.1922 directing the resumption of the lands and the taking over of the temple itself under Government management, under section 9 of the Muzrai Regulation. This was an exparte order passed without hearing us in the matter.

On our appealing against the said order and praying for a reconsideration of the matter on the grounds of the temple not being a Muzrai Institution and the lands not being Inam but assessed holdings in our possession and enjoyment for over half a century, the subject is again under the gracious consideration of the Government and in this connection we beg to offer the undermentioned terms as a matter of compromise but without prejudice to our civil rights and remedies in the event of the terms being found not acceptable:

(1) We hereby undertake to repair the temple, which is in a neglected and dilapidated condition, at our own expense and labour and continue to maintain the temple under our own management and control keeping it in a fit and proper condition.

(2) We further agree and undertake to effect the repairs immediately necessary to save the temple from further dilapidation and total destruction and take up the further repairs and improvements later on.

(3) The total cost of the repairs and neces- improvements may come to about Rs.1000/- at a minimum estimate, out of which Rs.300/- will be required for immediate repairs to save the temple from destruction. We undertake to spend this sum (inclusive of the deposit of Rs.100 odd we have already placed in the Government Savings Bank for the purpose) and effect the immediately required repairs in the course of a year from this date, as we cannot afford the expense forthwith owing to the failure of crops and general depression in the current year. We also undertake to effect the further repairs at our own expense in the course of two years thereafter i.e we shall render the temple to a fit and proper condition, as far as the repairs are cocerned, in the course of three years from this date, by spending over it a sum not exceeding Rs.1000/-

(4) We agree and undertake to continue the pooja service in the temple as heretofore.

In consideration of the above undertaking on our part the Government will agree and undertake :

(i) To (allow us) remain in possession and management of the temple as heretofore;

(ii) To allow us to continue in the possession and enoyment of the lands in question permanently, as a hereditary and heritable right of possession and enjoyment, cultivating the lands ourselves or leasing them or otherwise reaping the produce thereof and paying the Government taxes and cesses thereon according to survey assessments but without being liable to pay or contribute anything in cash or in kind either to Government or the temple.

(iii) To allow us to withdraw the amount we have deposited, with interest accrued due from the Government Savings Bank, and include it in the amount of Rs.300 we have to spend for effecting the immediate repairs to the temple.

(iv) That while the local officers or the Muzrai Department will be entitled to inspect the temple when they please they will have no powers of control, management or interference in the affairs of the temple or the lands so long as the periodical repairs are effected by us and we continue to render pooja service therein.

(v) That we shall not be liable to be evicted from the lands but in the case of total neglect on our part to keep the temple in a proper condition or failure to perform the pooja service therein a report to that

that effect shall be made by the local authorities for the orders of Government who will deal with the matter in such manner as they may deem fit after giving us or our heirs for the time being to explain their position and conduct in reference to the complaint.

(V) That the order of Feb.1922 shall be rescinded and a fresh order passed embodying the abovementioned terms and a duly signed and certified copy of the same shall be furnished to us.

In conclusion we pray that Government may be pleased to consider the above terms and conditions and pass orders accordingly thus saving us and our families from utter ruin which will be the inevitable result of our being dispossessed of the lands which have been in our possession and enjoyment for over half a century past and which form the only means of subsistence of three branches of our family.

Left Thumb mark of Thammadi Madiva-

Left-Thumb mark of Thammadi Sukantha

C. Rajappa, B.A.L. for the pltrs. 3-2-24 6-2-24

Dated, Bangalore, the 3rd February 1924.

PETITIONERS,
Residents of Sokkahalli, Nanjangud Taluk.

Muz 4]

SUBJECT.....

Diary No. of letter replied to 1731

Section

File No

Serial No.

Muzrai Secretariat

( )

, *the* 192 .

No 2489
one

To

Date of issue 10.3.23

The Dy Com.,
Mysore Dist

Signed by M. T. E. Jhijan

Sir,

Adverting to C C o
4648-5/ Muz. 5HE 19 E
Dy 23rd February 19 E 5
directing that the temple
of Sri Kalle-maru Gan..
temple at B...
Nanjangud ...
its Com...
-Sinecure ...

VVCI.

I am directed to forward herewith review petition regd. no 1430 from Ramiah and two others praying for a reconsideration of the foregoing order, and to request that you will be so good as to send up through the Magnai Conr in Mysore a detailed report on the allegations of the petrs that they have paid a sum of Rs 1200 for the conversion of the lands from dry into wet &c.

(2) A post copy of the telegram sent yesterday directing stay of the sale proceedings of the lands is appended in the margin.

(3) The favor of an

List of enclosures.

Copied by
Examined by petition,

WD 0563—GPB—2,500—27-7-22

G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form)

WL 2230—GPB—1,00,000—23-7 20

=7

Muz 4]

SUBJECT ....

.. ..

... .

Diary No. of letter replied to _____

Section Muz

File No. 357-Muz

Serial No. 5

Muzrai Secretariat

( )

, *the* *192* .

No. 2491

Date of issue 10.3.23

To

Signed by Mr. T. E. Muzumdar

4648-5
23-2-1922

over.

List of enclosures.

Copied by

Examined by

WD 0563—GPB—2,500—27-7-22

From

To

Dated 9th October 1923.

Despatched 9th October 1923.

Received

General No. 13553.
No.

Enclosure No.

Subject.

Whilst returning salute to Lieutenant-Colonel Commanding Movement of the Members of Provincial Service Company at Allahabad, Conducted Tour.

13553

C 1330 Army

Forwarded, with the compliments,

K. Chaudhry
Major, 8th
18/10

D. 448

Army 357-22-3

GENL. & REV. SECTT.
Br .....
18 OCT 1923
C. O. SECTION

No. [illegible]

OFFICE OF THE DEPUTY COMMISSIONER,
MYSORE DISTRICT,
Dated, Mysore, 8th October 1922

From

[illegible],
Deputy Commissioner, Mysore District.

To

[illegible],
Secretary to the Government of His Highness the Maharaja of Mysore, Bangalore.
(Through the Huzur Sheristadar, Mysore)

SIR,

With reference to your letter No.[illegible].357-2 dated 7th March 1922 calling for a detailed report with connected records relative to the management of the temple of Sri Kalleshwara Swamy at Bokkahalli, Nanjangud Taluk, together with lands, I have the honour to submit herewith the entire file of Circular records on the subject received with Nanjangud Sub Division Officer's memo No.561/22-23 dated 26th March 1922, and to state as follows :-

2. The inhabitants of Bokkahalli village, Nanjangud Taluk, petitioned the Taluk Amildar in 1912 that the above Temple was in a very neglected condition, so much so, that the building was likely to come down, and prayed that the Temple be repaired early from the savings effected out of the income of paddy derived from the Temple lands etc. The Amildar after personal inspection reported that the Temple in question owns wet lands to the extent of 7 acres assessed at Rs.34-8-0 yielding very nearly 10 Candies of paddy, that the archies Lingiya, Madaiya, and Srikanti were enjoying the lands for their service in the Temple and that his warnings to the poojaries to get repairs done to the Temple were of no avail etc. A recommendation was thereon made to Government in this office letter No.302 dated 23/26th December 1912, the assumption of the management of the Temple and its lands.

3. These lands, it is said, were being treated as Inam,

[illegible] to the year 1879 and their hereditary [illegible] in 1885 for [illegible] Temple affairs, and full [illegible] that the whole of the [illegible] none of the [illegible] Temple as also in [illegible] 7741 dated 19th January 1926.

4. Government in their letter No.[illegible] dated 27th March 1927 called for a scale of [illegible] diture for the Temple together with proposals for the [illegible] the Temple and for appointing Dharmadarsis to supervise the [illegible] affairs of the institution. [illegible] duly submitted with this office letter No.A.I.G.[illegible] dated 22nd April 1927 with the recommendation to drop the question of taking under Government management the Temple and its lands for reason that the Temple was a non-muzrai institution and that the poojaries were subsequently removed in their service etc.

5. In reply, the Government observed in their letter No. 3691/Mis.686-26-2 dated 7th June 1927, that there was nothing to prevent a non-muzrai institution from being taken under Government management for persistent mismanagement and directed to take steps for their assumption under section 9 of the Muzrai Regulation. Steps were accordingly taken and again a reference was made to Government explaining fully the circumstances of the case and requesting sanction to take over the management of the Temple with its lands as the Archaks flatly refused to undertake the repairs ~~of~~ to the Temple and in view of the fact that the Temple was losing a greater portion or almost all its income from its lands, which was being appropriated by the poojaries for their personal benefit. (Vide this office letters No. G.486/[illegible]-26 dated 6th March 1926 and 23rd November 1926)

6. Thereon, Government in their letter [illegible] dated 28th March 1927 observed that as the Temple had [illegible] to fall into a state of disrepair, the archaks [illegible] to be

to hold the lands belonging to it and that their contention that they should be allowed to enjoy the produce of the lands without being called upon to contribute a substantial portion of the cost of repairs was quite untenable. Government further requested the Deputy Commissioner to call upon the archiks to shew cause why the lands should not be resumed from their possession and taken under direct management of Government. The Archiks were, accordingly, summoned and they appeared before the Deputy Commissioner, Mr. C. Bowring on 10th December 1921. When questioned the state, they stated that the lands were not Inam to the Temple and that they should not be resumed from their possession, as they would be deprived of their livelihood and prayed that they might be left in undisturbed possession thereof. They had no documents to file on their behalf. Their prayer could not be accepted as they had left the Temple in a most neglected condition, appropriating all the income from the Temple lands for their personal use. It was once proposed, therefore, that the Temple and its lands might be taken under Government management a sum of Rs.10/- per month being fixed for pay and padithara payable to the archiks rendering service in the Temple.

Thereon, Government in their Order NO.4648-51/Muz. 546-19 dated 23rd February 1922 accepted the Deputy Commissioner's recommendation and directed to take possession of the Temple and its properties atonce under section 9 of the Muzrai Regulation. Necessary instructions were accordingly issued to the local officers the matter. The lands were taken possession of by the Amildar arrangements made to auction the lease thereof under the standing orders. The sale of the lease was notified and it was fixed to 10th March 1923. In the meantime, the poojaries preferred a revision petition before Government on which an order was issued stay the sale that was fixed to the 10th March 1923. The sale was accordingly stopped and the records are submitted by the Amildar as called for.

The revision petition received with your letter under

W D 2684—GPB—2,000—7 4 16

Before the Government of His Highness the Maharaja of Mysore.

APPEAL No. 4 OF 1923-4.

~~RESPONDENT~~.

APPELLANT S.

Thammadi madiah,
Srikantiah and
Ramiah.

SUBJECT.

Review application Regd. no. 1430 Dy 6th March 1923 praying for a re-consideration of G.O. no. 4648-51 Revg. 546-19-8 Dy 23-2-192 directing that the temp of Sri Kalleswara Swa at Bokkahalli in the Nanjangud Taluk and its endowments be taken under Govt. Manag under Sec. 9 of the Inm Regulation.

The case was heard on 3-2-1924 the parties being p in person and repres

54

their Advocate
Mr. Nagappa.

Order

This is an application
for a review of the G.O.
no. 4648-51 Dy 23-2-1922
directing that the temple
of Sri Kalleswara Swami
in the village of Bokkahalli,
Nanjangud Taluk, and the
lands belonging thereto
be taken over under
Govt. management
under Sec. 9 of the
Hindu Relgn. Endt, and the lands
be taken out of the
lands of the petns and
leased out, a sum of
Rs 10 per mensem for salary Rs 20
annum for Archakattle
being paid to the Archaks
from the rents realized and
balance utilized
for the repairs of
the temple

Muz. 6]

MUZRAI SECRETARIAT.

(*Continuation sheet draft form.*)

2. The lands in question (S nos. 74, 78 and 158) had been originally assigned as inam to the temple, but owing to the neglected condition of the temple, the inam was resumed during the Inam Settlement (about 1880), and the temple thereby lost its character of a muzrai institn. Though the inam tenure of the lands was cancelled, the lands continued to remain the property of the temple. The khata of the lands had been first made by mistake in the name of the Archak on the extinction of the inam, but it was subsequently made out in the name of the

WD 0565—GPB—2000—28 7-22

temple itself about the
year 1896, and no objection
was raised thereto by
the Archaks (pets)
who were in possession
and enjoyment thereof,
which clearly shows
that they were aware
all along that the lands
were the property of
the temple and not
their personal property.

3. So long as the lands
were dry, there was very
little margin left to meet
the cost of the repairs
to the temple; but with
the conversion of the
lands to wet, there was
a considerable increase
in the income of the
lands and it was
quite possible for the
pets to carry out

~~37~~

the necessary repairs to the temple: But they failed to effect any improvements to the temple notwithstanding repeated warning & and persisted in appropriating the entire income from the lands to themselves.

In these circumstances, there was ample justification for the Govt to take the instn and the lands belonging thereto under Govt management under Sec. 9 of the Muzrai Regn. Govt do not consider that there are any satisfactory grounds to modify their previous orders in this respect.

WD 0365—GPB—2200—28 7·22

4 With respect to the future disposal of the lands, however, the petrs have evidently repented of their past folly in not heeding the warning of the officers to repair the temple, and have come forward now with a representation offering to excute the necessary repairs to the temple at a cost of Rs 1000 within ~~one~~ three years and requesting that they might be left undisturbed in possession of the lands. Thought the petrs have lost all claims for ~~A~~ Considerate treatment on account of their conduct in the past, in view of their long possession of the lands, & the expense and trouble taken by them

In the original order this is one year. It is changed into three year subject to what is said in para 3 page 3 of the petn 983 A

V

Muz. 6]

MUZRAI SECRETARIAT.

(*Continuation sheet draft form*)

to bring them under
better cultivation, Govt
do not wish ~~to be~~
~~too hard on them and~~
deprive them of the
lands, if they are
prepared to come to
reasonable terms.
Govt therefore direct
that the lands be
left undisturbed in
the possession of the
petrs on the following
terms.

(i) That they shall
agree to carry out
the necessary repairs
to the temple at
a cost of not less
than Rs 1000/ within
one year from the
date of the order
and as an earnest
thereof deposit a

WD 0,65—GDB—2000—28 7 22

Sum of Rs 500/ before
the 30th June next.
(ii) that they agree
to maintain the temple
in good repair in future
and to render Services
regularly
(iii) that out of the
proceeds of the temple
lands, they pay Rs 100
annually for the benefit
of the temple, the
payment beginning
from the year after the repairs
to the temple are
completed by them
as per condition no (i).
(iv) that the violation of
any of the above conditions
will render the petrs
~~to be~~ liable to be
summarily evicted
from the lands and
also removed from the

6]

MUZRAI SECRETARIAT.

(*Continuation sheet draft form*)

Pujarike.

If the petrs are prepared to abide by the above conditions and give an agreement to this effect effect may be given to that. If they are not prepared to do so, and do not execute the agreement within a month on produce the deposit of Rs 500/- by the stipulated time, the concession now shown to them will be withdrawn and the previous orders of Govt enforced.

1751

Muz 357-22-3

& 29. 5. 22

Memo. No.

Encl

Copy to the Muz. Comr with the records

WD 0365—GPB—2000—28-7-22

received with his Letter no.
C. 1331 dt 13. 10. 1923.

Yours obdt.
Hon. Sec.
Rev. Secretary

No C 8107 24-25-04342
Encl one file.

Office of the Muzrai Commissioner in Mysore,
Bangalore, Dated 16th July 1924.

17

From

K. Chandy, Esq, B.A.
Muzrai Commissioner in Mysore.

GEN. & REV SECRETARIAT
19 JUN 1924
MUZRAI

To
K.V. Anantaraman, Esq, B.A.
Secretary to the Government of His Highness the
Maharaja of Mysore, Revenue Department, Bangalore.

Muz. 357-22-4.

Sir,

Referring to Government order in Muzrai appeal No.4 of 1923-24 directing that the lands endowed to the temple of Sri Kalleswaraswami at Bokhalli in the Nanjangud Taluk be left undisturbed in the possession of Thammadi Madiah and others subject to the conditions specified in the order, I have the honour to submit herewith for further order of Government copy of letter C.No.587 of 22-23 dated 12th July 1924 from the Deputy Commissioner, Mysore District, stating that, as the Thammadis have not evidently agreed to the conditions laid down by Government and as they are bringing forth some excuse or the other at every stage to prevent effect being given to the orders already passed, he is not in favour of recommending the concessions now asked for by them. As the parties have not yet complied with the order of Government, the previous order and taking the institution and its endowed lands under Government management may be enforced.

2. The file of vernacular papers accompanies.

I have the honour to be,

Sir,

Your most obedient servant,

K. Chandy

Muzrai Commissioner.

Letter No.587 dated 10th July 1924 from the Deputy Commissioner of Mysore District to the Muzrai Commissioner in Mysore.

=====

With reference to your letter No.D.1 Dis 304/23-24 dated the 5th July 1924 forwarding a copy of the order passed by Government directing that the lands endowed to the Sri Kalleswara Swami temple at Bokkahalli be left undisturbed in the possession of Thammadi Madiya and others subject to certain conditions I have the honour to submit herewith a statement given by the Thammadies before the Amildar on 1st July 1924 and received with Nanjangud Sub Division Officer's report No.R.H.C.561/22-23 dated 3rd July 1924.

(1) The Thammadies in their statement have said that it is not possible to repair the temple within the stipulated time of one year and pray that the time allowed be extended to two years.

(2) As regards the deposit of earnest money of Rs.500/- they request to be allowed two months time against one month allowed by Government.

(3) Re the payment of the annual reserve fund of Rs.100/- for the benefit of the institution they represent that it is not possible for them to comply with this condition in view of the heavy outlay they have to make for temple repairs etc,

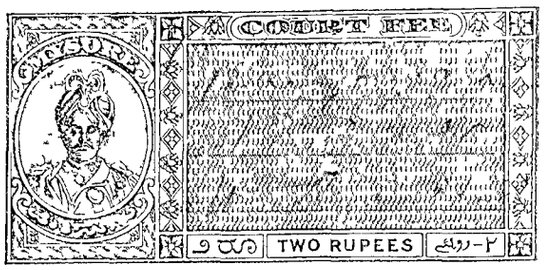
(4) They have not said anything about the future upkeep of the temple and rendering regular service therein.

2. Thus the Thammadies have not evidently agreed to the condition laid down by Government. The Sub Division Officer states that under the circumstances the previous orders of Government will have to be enforced, unless the concessions asked for by the Thammadies are sanctioned. I am not in favour of recommending the concessions asked for by them as they are bringing forth some excuse or the other at every stage to prevent the orders passed being given effect to and thus gain time to achieve their own end. I am not also sure that the condition of the Temple would improve if the entire management thereof together with that of its lands be left to them.

3. The connected file of the vernacular correspondence on the subject is however submitted for favour of perusal and issue of such orders as may be deemed fit in the matter.

"C O PY"

Deputy Muzrai Commissioner. 16/7/24



BEFORE THE GOVERNMENT OF H.H.THE MAHARAJA OF MYSORE.

Muzrai Review Petn. No. of 1924-25.

In the matter of S.No.74,78 and 158 of Bokkahalli Village, Chikkaiyana Chatra Hobli, Nanjanagud Taluq, standing in the Khata of Sri Kalleshwara Temple of the said village but in the enjoyment and - occupation of the petitioners for over fifty years past:

Thammadi Madaiya, Srikantaiya, and Ramaiya, represented by Mr.C.Nagappa, Advocate, Bangalore City. | Petitioners.

The petitioners abovenamed beg to submit the following circumstances for the gracious consideration of Government and pray for a review of the - order dated 29th May 1924 in Muzrai Appeal Case No. 4 of 1923-1924 (Muzrai File 357 of 1922-23) as the said order if enforced to the letter will result in utter ruin of three large families:-

1. The facts of the case are explained in detail in the petitioners' statement dated 3-2-1924, which the petitioners pray may be read as part of this representation.

2. The petitioners have been and are actuated with the best of motives and an earnest desire to do their best to further the interests of Sri Kalleshwara Temple of which the petitioners and their ancestors - have been zealous devotees and hereditary archaks for generations and they have been performing the pooja services in the temple even after the Inam Grant was resumed and it became a Muzrai Institution in 1882 generations.

generations. (A) In the course of the arguments in the case it was submitted by the petitioners' Counsel that the lands in question had been in undisturbed possession and enjoyment of the petitioners and their forbears in their own right, at any rate since the resumption of the inam tenure in 1880 and the cessation of the Temple to be a Muzrai Institution, and the petitioners, being registered as ordinary holders of the lands under the Land Revenue - Code, and by virtue of their long possession and - enjoyment of the lands adversely to the temple for over forty years have their undoubted civil rights in respect of the lands and that the Muzrai Regulation could have no manner of application to evict the petitioners from their lands. Further the present valuable condition of the lands is the outcome of the petitioners' labour and expense for the last forty years and the said lands at the time of resumption of the Inam were worth almost nothing. It was because that the lands were dry lands worth little that on the resumption of the Inam tenure they were registered in the khata of the petitioners. The change of patta in or about the year 1896 was done without the petitioners' knowledge and without any inquiry. The change of patta to the name of the - Temple could not therefore affect the petitioners' rights.

3. But as a measure of compromise intended to benefit the Temple of which the petitioners and their fore-fathers have been the most ardent devotees for generations without at the same time ruining the petitioners and their families whose main stay and sole occupation have been the lands, their

cultivation

cultivation and the service of the deity in the temple, certain alternative causes were considered in the course of the arguments on 3-2-1924, when the Second Member of Council heard the case and went deeply into the matter with an open mind and the most sympathetic consideration that could be given to the circumstances of the petitioners' position in the case. Figures relating to the actual average annual yield of the lands after making allowance for the cultivators' (who are the petitioners themselves) labour, the Government assessment on the lands, the minimum remuneration for the pooja service in the temple, which was estimated and fixed by Government themselves at Rs.140/- per annum, were carefully gone into and the Member of Council seemed satisfied that the lands in question could not leave more than a net income of Rs.50/- per annum which might be held available for the repairs to the temple in the event of the lands being considered as temple property.

4. The figures that were then pressed on the consideration of the member were:-

Average annual yield from the 7 acres of the lands in question: 49 or 50 pallas (of 100 seers) of paddy valued at the normal (not the present abnormal rates) rate of Rs.7/- per palla.		Rs.350/-.
Less Government assessment on the land with the cesses. ...	Rs.45/-	
Remuneration for pooja service at Rs.10/- per mensem plus Rs.20/- per annum for hetchukatle.	Rs.140/-	
Cost of cultivation and cultivators' wages (3 adult males with their families) @ Rs.10/- per mensem. ...	Rs.120/-	Rs.305/-
Balance. ...		Rs..45/-.

Or Rs.50/- per annum which the petitioners might

(in

(in the Member's opinion as expressed at the hearing) be safely asked to contribute towards the repairs to the temple.

5. When it was pointed out by the petitioners' Counsel that the minimum cost of the repairs would be Rs.1,000/- and it would take about twenty years to make up this sum from the nett annual yield from the lands and within that time the temple if left unrepaired would go to utter ruin the Member was pleased to suggest the following alternatives:-

(a) the petitioners to contribute an annual sum of Rs.50/- towards the maintenance and repair of the temple in which case the Government in the Muzrai Department would undertake the repairs, the petitioners remaining in possession of the lands as Poojaries and cultivators; and

(b) the petitioners to undertake the present repairs at a cost of not less than Rs. 1,000/- and the future maintenance and repair of the temple at their own cost in addition to the pooja service.

These alternatives were put before the petitioners and as they were inclined to accept the second condition their Counsel was required to put the terms in a written statement.

6. The statement of compromise dated 3-2-24 was accordingly submitted to the Member on 6-2-24, and the petitioners expressly reserved their civil rights in the matter in the event of the terms being found unacceptable to Government ultimately.

7. No orders were passed in the matter for more than three months; but the petitioners were all on a sudden served with a notice (copy submitted) by the Taluq Amildar about 20 days ago the terms of which were staggering to the petitioners. They were informed by the said notice undated but purporting to have been issued under the Sub Division Officer's Order No.D.H.C.561/22-23 dated 15-6-1924:-

(a) that they were required to undertake the repair of the temple at a cost of not less than Rs.1,000/- within a year from the date of the notice;

(b) that as an earnest of their undertaking in this behalf they should deposit Rs.500/- before the end of June 1924;

(c) that they should contribute out of the proceeds of the lands a sum of Rs.100/- to the Temple, and

(d) that they should in addition undertake to maintain the temple in a fit condition and attend to the daily poojas &c.

Lastly they were required to deposit in the Taluq Treasury a sum of Rs.500/- on the day of service of the notice on them and to execute a mutchalika in accordance with the above terms.

8. As the abovesaid notice was served on the petitioners about the end of June 1924 and they could not afford to deposit the sum of Rs.500/- forthwith as required they have given an undertaking that they would deposit the same within two months from the date of service of the notice and that as regards the other terms they would seek a review of the Government Order

on

on the subject after obtaining a copy of the same.

9. The petitioners were furnished with a copy of the Government Order yesterday (17-7-1924) on payment of the necessary copying fees, though they had made a special request that before they were required to sign any - mutchalika or agreement they might be furnished with an authorised copy of the Government Order.

10. The petitioners beg to state with reference to the order in question that the terms are too onerous and hard on them to enable them to maintain themselves and their families out of the nett yield from the lands in question after defraying the cost of - cultivation, Government assessment on the lands, - costs of annual maintenance and repairs to the temple, interest on the initial expenditure of Rs.1,000/- for present repairs. In fact these items alone consume the whole gross yield from the lands and leave nothing to the petitioners (heads of these families) as their remuneration for their daily pooja service in the temple. Besides, the petitioners have already - deposited a sum of Rs.100/- in the Government Saving's Bank nearly one and a half years or two years ago towards the repair charges, which the petitioners requested might be taken as part of the amount now - undertaken to be spent. They further represented - that owing to the very scanty crops of the last year added to the havoc caused by the floods they could not afford to spend the whole sum of Rs.1,000/- on repairs all at once within a year and they requested two or three years time for effecting the repairs by instalments. Lastly they made it clear that on their undertaking to repair and maintain the temple in a fit and proper condition they should be exonerated from

(4.)

the

the burden of making an annual contribution to the Government or the temple. In fact even when the temple enjoyed the Inam lands as such the only condition attached to the Inam grant was the maintenance of the temple in a proper condition and the conduct of pooja service therein. Needless to point out that it will be hard on the poor and resourceless petitioners to be required to pay the full Government assessment on the lands as holders thereof and in addition to maintain the temple with repairs &c. at their own cost, - render pooja service as archaks and in addition contribute Rs.100/- per annum to the temple besides spending an initial sum of Rs 1000/- on present repairs.

11. The petitioners therefore pray that the matter may receive the further and sympathetic consideration by the Government of His Highness the - Maharaja of Mysore and the terms of the Government Order of 29-5-1924 in Muzrai Appeal Case No.4 of 1923-1924 be revised as follows:-

That the petitioners in consideration of being left in undisturbed possession and enjoyment of the lands in question and the management of the Sri Kalleswara Temple at Bokkahalli, Nanjanagud Taluq, be required

(a) to undertake and do the necessary repairs to the temple at a cost of not less than Rs.1,000/- including the sum of Rs.100/- already deposited in Government Saving's Bank,

(b) to effect and complete the said repairs within two years or not later than 31st July 1926,

(c) to deposit a sum of Rs.400/- within two months from the date of the final Government Order on the subject which together with the sum of Rs.100/- already in deposit, to be available for the immediate repairs to the temple to be effected in the first year,

(d) to undertake to maintain the temple in a fit and proper condition and render the pooja services regularly so long as the lands are held by the petitioners or their representatives-in-interest.

The petitioners pray that it may be laid down that they shall not be required to contribute anything to the temple so long as condition No.(d) is fulfilled.

BANGALORE
18-7-1924.

Petitioner.

C. Raghava

ADVOCATE for petitioners.

The petitioners beg to submit further that in spite of the undertaking given at the time of the service of the notice about the end of June last, that they would deposit the earnest money of Rs.400/- supplementing the deposit of Rs100 already in Govt. Savings Bank, within two months from the service of the notice, and the representation of the petictioners to the local authorities to stay further proceedings till the petitioners were informed of the result of their endeavour to seek a review of the Government Order, the local authorities are attempting to rush through the coercive proceedings against the petiotiners to evict them from their lands. This proceedings if persisted in just at the commencement of the cultivating season will complete the ruin of the petitioners who have already suffered enormously in last year's scarcity and loss. They therefore pray that Government may be pleased to grant a stay order pending disposal of this petition.

C. Raghava
Advocate for the petitioners.
19-7-1924

Sd/-
19-7-2024

85

Muz 4]

SUBJECT .....

.....

.....

Diary No. of letter replied to _____

Section Muz.

File No. 357-22.

Serial No. 6.

Muzrai Secretariat

( )

, *the* 192 .

No.

Date of issue 7-8-22

Signed by P Ramaiah

To

The Muz. Comr.

Sir,

Adverting to correspondence ending with your letter no. C.81 dt 17.7.22 in the matter of the lands enfaced to the temple of Sri Kalleshwara Swami at Bokkahalli in the Nanjangud Taluk, I am directed to [illegible]

over.

56

Petition Review
regd. no. 96 from Mahomed
Ramiah praying for a
re-consideration of G.O. no
1751 - Mus. 357-22 dt 29-5-24
on the subject and to state
that Govt do not see reasons
to modify the above order
already passed. It is
is a fact that the petns
were, as stated by them,
informed of the order of
Govt only about the end of
June 1924, I am to
State that they may be
given time till the end of
August to pay the deposit of
Rs 500/ mentioned in the
order, and that if they
do produce the amount
within this period, the
concession allowed in the order under reply
of Govt dt 23-2-1922 ~~enclosed~~
will be withdrawn and the order of Govt dt 23-2-22
is enforced.

I am to state, however, that

List of enclosures.

Copied by

Examined by

WD 0563—GPB—2,500—27 7-22

G. R. S. 6/33]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form)

57

(2) The rents are herewith returned.

I have

(B.) Ke...

WB 6250—GPS—1,00,000—23-7-20

Muz 4]

SUBJECT ....

.. ..

... .

24

Diary No. of letter replied to _____

Muzrai Secretariat

( )

, the *192*

Date of issue 7-8-24

Signed by Mr Y Lavanya

Section

File No.

Serial No.

No. 208

Shri C. Nagappa Esq.
Advocate, Bangalore

To

Endorsement granted to Thammadi Ramiah of Bokkahalli in the Nanjangud Taluk with ref. to his review-application regd. no. 96 praying for a re-consideration of the order of Govt. No. 1751 dt 29-5-1924 relative to Govt. waste land

enclosed to Sri Kallesvara
Swami temple at the
place.

The petr is informed
that Govt do not see any
reason to modify the
order already passed.
The review petition
is accordingly rejected.
If it is a fact that
the petrs were as stated
by them, informed of the
order of Govt only about
the end of June 1924,
they will be given time
till the end of August 1924
to deposit the Rs 500/
mentioned in the order,
and if they don't produce
the amount within this period

List of enclosures

Copied by

Examined by

WD 0563—GPB—2,500—27 7 22

60

The Concession allowed in the order will be withdrawn and the previous order of Govt. dt 23-2-1922 enforced.

Pay orders

6/8/24.

Dy Rev. Secy

Bd

2/8/24

G. R. S. 6/33]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

WB 2230—GPB—1,00,000—23-7-20